



Exempt Action Proposed Regulation Agency Background Document

Agency name	Virginia Department of Transportation
Virginia Administrative Code (VAC) citation	24 VAC 30-155
Regulation title	Traffic Impact Analysis Regulations
Action title	Promulgation of exempt regulation pursuant to state mandate
Document preparation date	August 28, 2006

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Administrative Process Act (APA), the agency is encouraged to provide information to the public on the Regulatory Town Hall using this form.

Note: While posting this form on the Town Hall is optional, the agency must comply with requirements of the Virginia Register Act, the *Virginia Register Form, Style, and Procedure Manual*, and Executive Orders 21 (02) and 58 (99).

Summary

Please provide a brief summary of all regulatory changes, including the rationale behind such changes. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.

Chapter 527 of the 2006 Acts of Assembly added § 15.2-2222.1 to the *Code of Virginia*. The amendment establishes procedures by which localities submit proposals that will affect the state-controlled transportation network to the Virginia Department of Transportation (VDOT) for review and comment. The chapter also directs VDOT to promulgate regulations to carry out the provisions of the statute. The intent of the statute is to improve the manner in which land use and transportation planning decisions are coordinated and executed throughout the Commonwealth by establishing standardized methodologies (definitions, analytical methods, etc.) and procedures for analyzing transportation impacts.

Specifically, the proposed APA-exempt regulation, Traffic Impact Analysis Regulations (24 VAC 30-155), sets forth procedures and requirements governing VDOT's review of and submission of comments regarding comprehensive plans and amendments to comprehensive plans, rezoning proposals, and subdivision plats, site plans and plans of development and the

accompanying traffic impact statements. The regulation also identifies when such comprehensive plans and amendments to comprehensive plans, rezoning proposals, and subdivision plats, site plans and plans of development must be submitted, and the documents and information which must be submitted to VDOT to facilitate the required review and submission of comments. The regulation further establishes the scope and nature of the review and a schedule of fees to be paid upon submission of a proposal to VDOT for review.

The draft regulation has been developed in consultation with a Technical Advisory Committee and a Policy Advisory Committee including representatives from local governments and other stakeholder groups, convened by the Secretary of Transportation.

Though exempt from the APA, VDOT is publishing the draft regulation for the purpose of soliciting input as the regulation is finalized. This draft regulation will also be posted online at www.vdot.virginia.gov, and comments will be accepted by email at: Chapter527@vdot.virginia.gov,

or by regular mail at:

Chapter 527 Public Comment
c/o VDOT Policy Office
1401 East Broad Street
Richmond, Virginia 23219

Chapter 527 also requires that the Department submit a report to the Governor and the General Assembly by December 1, 2006, identifying the costs of conducting the reviews required by the chapter and recommending a reasonable fee schedule for such reviews. The fee schedule proposed in the draft regulation is intended to provide a basic framework upon which to solicit comment. The final fee structure will be informed by the cost report.

As indicated to the Policy Advisory Committee, in particular the Department anticipates the bicycle, pedestrian and transit aspects of the regulation to undergo thorough review and possible revision.

Family impact

Assess the impact of this regulatory action on the institution of the family and family stability.

Improving the coordination between land-use and transportation planning will have a positive impact on the institution of the family and family stability. This regulation will provide additional information to assist policymakers and the public in planning land-use and transportation decisions that promote enhanced quality of life for all Virginians.